

STATE OF NEBRASKA
NEBRASKA APPRAISAL MANAGEMENT
COMPANY REGISTRATION ACT



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STATUTES

§ 76-3201. Act, how cited.

Sections [76-3201](#) to [76-3222](#) shall be known and may be cited as the Nebraska Appraisal Management Company Registration Act.

Source: Laws 2011, LB410, § 1. Laws 2018, LB17, § 2.

§ 76-3202. Terms, defined.

For purposes of the Nebraska Appraisal Management Company Registration Act:

- (1) Affiliate means any person that controls, is controlled by, or is under common control with, another person;
- (2) AMC National Registry means the registry of appraisal management companies that hold a registration as an appraisal management company issued by the board or the equivalent issued in another jurisdiction, and federally regulated appraisal management companies, maintained by the Appraisal Subcommittee;
- (3) AMC final rule means, collectively, the rules adopted by the federal agencies as required in section 1124 of the [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#), as such rules existed on January 1, 2018;
- (4) Appraisal has the same meaning as in section [76-2204](#);
- (5) Appraisal management company means a person that:
 - (a) Provides appraisal management services to creditors or to secondary mortgage market participants, including affiliates;
 - (b) Provides appraisal management services in connection with valuing a consumer's principal dwelling as security for a consumer credit transaction or incorporating such transactions into securitizations; and
 - (c) Within a twelve-month period, oversees an appraiser panel of:
 - (i) More than fifteen AMC appraisers who each hold a credential in this state; or
 - (ii) Twenty-five or more AMC appraisers who each hold a credential or equivalent in two or more jurisdictions;

- (6) Appraisal management services means one or more of the following:
- (a) To recruit, select, and retain AMC appraisers;
 - (b) To contract with AMC appraisers to perform assignments;
 - (c) To manage the process of having an appraisal performed, including providing administrative services such as receiving appraisal orders and reports, submitting completed reports to creditors and secondary mortgage market participants, collecting fees from creditors and secondary mortgage market participants for services provided, and paying AMC appraisers for valuation services performed; or
 - (d) To review and verify the work of AMC appraisers;
- (7) Appraisal practice has the same meaning as in section [76-2205.01](#);
- (8) Appraisal Subcommittee means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council;
- (9) AMC appraiser means a person who holds a valid credential or equivalent to appraise real estate and real property under the laws of this state or another jurisdiction, and holds the status of active on the National Registry of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council in one or more jurisdictions;
- (10) Appraiser panel means a network, list, or roster of AMC appraisers approved by an appraisal management company to perform appraisals as independent contractors for the appraisal management company;
- (11) Assignment has the same meaning as in section [76-2207.01](#);
- (12) Board has the same meaning as in section [76-2207.02](#);
- (13) Consumer credit means credit offered or extended to a consumer primarily for personal, family, or household purposes;
- (14) Covered transaction means any consumer credit transaction secured by the consumer's principal dwelling;
- (15) Credential has the same meaning as in section [76-2207.09](#);
- (16) Creditor means a person who regularly extends consumer credit that is subject to a finance charge or is payable by written agreement in more than four installments, not including a downpayment, and to whom the obligation is initially payable, either on the face of the note or contract or by agreement when there is no note or contract. A person regularly extends consumer credit if:

- (a) The person extended credit, other than credit subject to the requirements of 12 C.F.R. 1026.32, as such regulation existed on January 1, 2018, more than five times for transactions secured by a dwelling in the preceding calendar year, or in the current calendar year if a person did not meet these standards in the preceding calendar year; and
 - (b) In any twelve-month period, the person originates more than one credit extension that is subject to the requirements of 12 C.F.R. 1026.32, as such regulation existed on January 1, 2018, or one or more such credit extensions through a mortgage broker;
- (17) Contact person means a person designated by the appraisal management company as the main contact for all communication between the appraisal management company and the board;
- (18) Dwelling means a residential structure that contains one to four units, whether or not that structure is attached to real property, including an individual condominium unit, cooperative unit, mobile home, or trailer if used as a residence. With respect to a dwelling:
 - (a) A consumer may have only one principal dwelling at a time;
 - (b) A vacation or secondary dwelling is not a principal dwelling; and
 - (c) A dwelling bought or built by a consumer with the intention of that dwelling becoming the consumer's principal dwelling within one year, or upon completion of construction, is considered to be the consumer's principal dwelling for the purpose of the Nebraska Appraisal Management Company Registration Act;
- (19) Federally regulated appraisal management company means an appraisal management company that is:
 - (a) Owned and controlled by an insured depository institution as defined in 12 U.S.C. 1813, as such section existed on January 1, 2018; and
 - (b) Regulated by the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, or the successor of any such agencies;
- (20) Federal agencies means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the National Credit Union Administration, the Consumer Financial Protection Bureau, the Federal Housing Finance Agency, or the successor of any of such agencies;
- (21) [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#) has the same meaning as in section [76-2207.14](#);
- (22) Independent contractor means a person established as an independent contractor by the appraisal management company for the purpose of federal income taxation;

- (23) Jurisdiction has the same meaning as in section [76-2207.16](#);
- (24) Person has the same meaning as in section [76-2213.02](#);
- (25) Real estate has the same meaning as in section [76-2214](#);
- (26) Real property has the same meaning as in section [76-2214.01](#);
- (27) Real property appraisal activity has the same meaning as in section [76-2215](#);
- (28) Registration means a registration as an appraisal management company in this state issued by the board if all requirements for approval as an appraisal management company required in the Nebraska Appraisal Management Company Registration Act have been met by a person making application to the board, including the submission of all required fees, and the board has granted all rights to the person to operate as an appraisal management company in this state as allowed under the act;
- (29) Report has the same meaning as in section [76-2216.02](#);
- (30) Secondary mortgage market participant means a guarantor or insurer of mortgage-backed securities, or an underwriter or issuer of mortgage-backed securities, and only includes an individual investor in a mortgage-backed security if that investor also serves in the capacity of a guarantor, insurer, underwriter, or issuer for the mortgage-backed security;
- (31) [Uniform Standards of Professional Appraisal Practice](#) has the same meaning as in section [76-2218.02](#); and
- (32) Valuation services has the same meaning as in section [76-2219.01](#).

Source: Laws 2011, LB410, § 2. Laws 2018, LB17, § 3.

§ 76-3203. Registration; application; contents; form; surety bond; qualifications; renewal.

- (1) An application for issuance of a registration shall be made in writing to the board on forms approved by the board, which includes, but is not limited to, all information required by the board necessary to administer and enforce the Nebraska Appraisal Management Company Registration Act, and the name of the contact person for the appraisal management company.
- (2) An applicant for issuance of a registration shall furnish to the board, at the time of making application, a surety bond in the amount of twenty-five thousand dollars. The surety bond required under this subsection shall be issued by a bonding company or insurance company authorized to do business in this state, and a copy of the bond shall be filed with the board. The bond shall be in favor of the state for the benefit of any person who is damaged by any violation of the Nebraska Appraisal Management Company Registration Act. The bond shall also be in favor of any person damaged by such a violation. Any person claiming against the bond for a violation of the act may maintain an action at law against the appraisal management company and against the surety. The aggregate liability of the surety to all persons damaged by a violation of the act by an appraisal management company shall not exceed the amount of the bond. The bond shall be maintained until one year after the date that the appraisal management company ceases operation in this state.
- (3) A registration shall be issued only to persons who:
 - (a) Meet the requirements for issuance of a registration;
 - (b) Have a good reputation for honesty, trustworthiness, integrity, and competence to perform appraisal management services in such manner as to safeguard the interest of the public as determined by the board; and
 - (c) Have not had a final civil or criminal judgment entered against them for fraud, dishonesty, breach of trust, or misrepresentation involving real estate, financial services, or appraisal management services within a five-year period immediately preceding the date of application.
- (4) A registration shall be valid for a period of twelve months beginning on the date which the registration was issued or renewed unless canceled, revoked, or surrendered.
- (5) All information related to an appraisal management company's registration shall be reported to the Appraisal Subcommittee as required by Title XI of the [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#), the AMC final rule, and any policy or rule established by the Appraisal Subcommittee.
- (6) The renewal of a registration includes the same requirements found in subsections (1) through (5) of this section. An application for renewal of a registration shall be furnished to the board no later than sixty days prior to the date of expiration of the registration.

- (7) For the purpose of subdivision (5) of section [76-3202](#), the twelve-month period for renewal of a registration shall consist of the twelve months pursuant to subsection (4) of this section.

Source: Laws 2011, LB410, § 3. Laws 2018, LB17, § 4.

§ 76-3203.01. Appraiser panel; removal; notice; reconsideration of removal

- (1) Only AMC appraisers considered to be in good standing in all jurisdictions in which an active credential is held shall be included on an appraisal management company's appraiser panel.
- (2) An appraisal management company shall remove any AMC appraiser from its appraiser panel within thirty days after receiving notice that the AMC appraiser:
 - (a) Is no longer considered to be in good standing in one or more jurisdictions in which he or she holds an active credential or equivalent;
 - (b) The AMC appraiser's credential or equivalent has been refused, denied, canceled, or revoked; or
 - (c) The AMC appraiser has surrendered his or her credential or equivalent in lieu of revocation.
- (3) Pursuant to subdivision (5)(c) of section [76-3202](#), an appraiser panel shall include each AMC appraiser as of the earliest date on which such person was accepted by the appraisal management company:
 - (a) For consideration for future assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions; or
 - (b) For engagement to perform one or more appraisals on behalf of a creditor for a covered transaction or for a secondary mortgage market participant in connection with covered transactions.
- (4) Any AMC appraiser included on an appraisal management company's appraiser panel pursuant to subsection (3) of this section shall remain on such appraiser panel until the date on which the appraisal management company:
 - (a) Sends written notice to the AMC appraiser removing him or her from the appraiser panel. Such written notice shall include an explanation of the action taken by the appraisal management company;
 - (b) Receives written notice from the AMC appraiser requesting that he or she be removed from the appraiser panel. Such written notice shall include an explanation of the action requested by the AMC appraiser; or

- (c) Receives written notice on behalf of the AMC appraiser of the death or incapacity of the AMC appraiser. Such written notice shall include an explanation on behalf of the AMC appraiser.
- (5) Upon receipt of notice that he or she has been removed from the appraisal management company's appraiser panel, an AMC appraiser shall have thirty days to provide a response to the appraisal management company that removed the AMC appraiser from its appraiser panel. Upon receipt of the AMC appraiser's response, the appraisal management company shall have thirty days to reconsider the removal and provide a written response to the AMC appraiser.
- (6) If an AMC appraiser is removed from an appraisal management company's appraiser panel pursuant to subsection (4) of this section, nothing shall prevent the appraisal management company at any time during the twelve months after removal from the appraiser panel from considering such person for future assignments in covered transactions or for secondary mortgage market participants in connection with covered transactions, or for engagement to perform one or more appraisals on behalf of a creditor for a covered transaction or for a secondary mortgage market participant in connection with covered transactions. If such consideration or engagement takes place, the removal shall be deemed not to have occurred and such person shall be deemed to have been included on the appraiser panel without interruption.
- (7) Any AMC appraiser included on an appraisal management company's appraiser panel engaged in appraisal practice or real property appraisal activity as a result of an assignment provided by an appraisal management company shall be free from inappropriate influence and coercion as required by the appraisal independence standards established under section 129E of the federal Truth in Lending Act, as such section existed on January 1, 2018, including the requirements for payment of a reasonable and customary fee to AMC appraisers when the appraisal management company is engaged in providing appraisal management services.
- (8) An appraisal management company shall select an AMC appraiser from its appraiser panel for an assignment who is independent of the transaction and who has the requisite education, expertise, and experience necessary to competently complete the assignment for the particular market and property type.

Source: Laws 2018, LB17, § 5.

§ 76-3203.02. Federally regulated appraisal management company; report; board; fees; powers.

- (1) A federally regulated appraisal management company must report all information required to be submitted to the Appraisal Subcommittee pursuant to Title XI of the [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#), the AMC final rule, and any policy or rule established by the Appraisal Subcommittee related to its operation in this state, including, but not limited to, the collection of information related to ownership limitations.
- (2) The board may collect and transmit to the Appraisal Subcommittee any fees established by the Appraisal Subcommittee pursuant to Title XI of the [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#), the AMC final rule, and any policy or rule established by the Appraisal Subcommittee required for inclusion on the AMC National Registry, and collect any fees as deemed appropriate by the board for services provided as related to a federally regulated appraisal management company's operation in this state.
- (3) Nothing in the Nebraska Appraisal Management Company Registration Act shall prevent issuance by the board of a registration to a federally regulated appraisal management company.
- (4) Except for a federally regulated appraisal management company that holds a registration issued by the board, section [76-3202](#), and this section, a federally regulated appraisal management company is exempt from the Nebraska Appraisal Management Company Registration Act.

Source: Laws 2018, LB17, § 6.

§ 76-3204. Act; exemptions.

The Nebraska Appraisal Management Company Registration Act does not apply to:

- (1) A department or division of a person that provides appraisal management services only to itself; or
- (2) A person that provides appraisal management services but does not meet the requirement established by subdivision (5)(c) of section [76-3202](#).

Source: Laws 2011, LB410, § 4. Laws 2018, LB17, § 7.

§ 76-3205. Company not domiciled in state; service of process.

Each appraisal management company that holds a registration but is not domiciled in this state shall submit an irrevocable consent that service of process upon such person may be made by delivery of the process to the director of the board if the plaintiff cannot, in the exercise of due diligence, effect personal service upon the person in an action against the applicant in a court of this state arising out of the person's activities in this state.

Source: Laws 2011, LB410, § 5. Laws 2018, LB17, § 8.

§ 76-3206. Board; fees.

- (1) The board shall charge and collect fees for its services under the Nebraska Appraisal Management Company Registration Act as follows:
 - (a) An application fee of no more than three hundred fifty dollars;
 - (b) An initial registration fee of no more than two thousand dollars;
 - (c) A renewal registration fee of no more than one thousand five hundred dollars; and
 - (d) A late renewal processing fee of twenty-five dollars for each month or portion of a month the renewal registration fee is late.
- (2) The board may collect and transmit to the Appraisal Subcommittee any fees established by the Appraisal Subcommittee under Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989, the AMC final rule, and any policy or rule established by the Appraisal Subcommittee required for inclusion on the AMC National Registry.

Source: Laws 2011, LB410, § 6. Laws 2018, LB17, § 9.

§ 76-3207. Applicant for registration or renewal; ownership restrictions; fingerprint submission; criminal history record check; costs.

- (1) A person applying for issuance of a registration or renewal of a registration shall not:
 - (a) In whole or in part, directly or indirectly, be owned by any person who has had a credential or equivalent refused, denied, canceled, or revoked or who has surrendered a credential or equivalent in lieu of revocation in any jurisdiction for a substantive cause as determined by the board; and

- (b) Be more than ten percent owned by a person who is not of good moral character, which for purposes of this section shall require that such person has not been convicted of, or entered a plea of nolo contendere to, a felony relating to the appraisal practice or real property appraisal activity or any crime involving fraud, misrepresentation, or moral turpitude or failed to submit to a criminal history record check through the Nebraska State Patrol and the Federal Bureau of Investigation.
- (2) For purposes of subdivision (1)(b) of this section, each individual owner of more than ten percent of an appraisal management company shall, at the time an application for issuance of a registration is made, submit two copies of legible ink-rolled fingerprint cards or equivalent electronic fingerprint submissions to the board for delivery to the Nebraska State Patrol in a form approved by both the Nebraska State Patrol and the Federal Bureau of Investigation. The board shall pay the Nebraska State Patrol the costs associated with conducting a fingerprint-based national criminal history record check through the Nebraska State Patrol and the Federal Bureau of Investigation with such record check to be carried out by the board.
- (3) For the purpose of subdivision (1)(a) of this section, a person is not barred from issuance of a registration if the credential or equivalent of the person with an ownership interest was not refused, denied, canceled, revoked, or surrendered in lieu of revocation for a substantive cause as determined by the board and has been reinstated by the jurisdiction in which the action was taken.

Source: Laws 2011, LB410, § 7. Laws 2018, LB17, § 10.

§ 76-3208. Prohibited acts.

- (1) An appraisal management company shall not prohibit an AMC appraiser from including within the body of a report that is submitted by the AMC appraiser to the appraisal management company or its assignee the fee agreed upon between the appraisal management company and the AMC appraiser at the time of engagement for the performance of the appraisal.
- (2) An appraisal management company shall not directly or indirectly engage in or attempt to engage in business as an appraisal management company or advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state under any legal name or trade name not included in the application for issuance of a registration, or renewal of a registration, as approved by the board.
- (3) An appraisal management company shall not require an AMC appraiser to indemnify an appraisal management company or hold an appraisal management company harmless for any liability, damage, losses, or claims arising out of the appraisal management services provided by the appraisal management company.

Source: Laws 2011, LB410, § 8. Laws 2018, LB17, § 11.

§ 76-3209. Verification of appraiser license or certification.

Prior to assigning appraisal orders, an appraisal management company shall have a system in place to verify that an appraiser being added to the appraiser panel holds the appropriate appraiser license or certification in good standing.

Source: Laws 2011, LB410, § 9.

§ 76-3210. Compliance with Real Property Appraiser Act.

Any employee of or independent contractor to an appraisal management company that holds a registration, including any AMC appraiser included on an appraisal management company's appraiser panel engaged in appraisal practice or real property appraisal activity, shall comply with the Real Property Appraiser Act, including the Uniform Standards of Professional Appraisal Practice.

Source: Laws 2011, LB410, § 10. Laws 2018, LB17, § 12. Cross Reference: Real Property Appraiser Act, see section [76-2201](#).

§ 76-3211. Verification of license or certification status.

Each appraisal management company seeking to be registered in this state shall certify to the board on a biennial basis on a form prescribed by the board that the appraisal management company has a system in place to verify that an appraiser on the appraiser panel has not had a license or certification as an appraiser refused, denied, canceled, revoked, or surrendered in lieu of a pending revocation in any state in the previous twenty-four months.

Source: Laws 2011, LB410, § 11.

§ 76-3212. Records; retention.

Each appraisal management company that holds a registration shall maintain a detailed record of appraisal management services provided under its registration, and upon request shall submit to the board all books, records, reports, documents, and other information as deemed appropriate by the board to administer and enforce the Nebraska Appraisal Management Company Registration Act. Record retention requirements are for a period of five years after appraisal management services are completed or two years after final disposition of a judicial proceeding related to the appraisal management services, whichever period expires later.

Source: Laws 2011, LB410, § 12. Laws 2018, LB17, § 13.

§ 76-3213. Completed report; limit on change.

An appraisal management company that holds a registration may not alter, modify, or otherwise change a completed report submitted by an AMC appraiser without his or her written consent.

Source: Laws 2011, LB410, § 13. Laws 2015, LB139, § 75. Laws 2018, LB17, § 14.

§ 76-3214. Board; issue registration number; maintain list; disclosure on engagement documents.

- (1) The board shall issue a unique registration number to each appraisal management company that holds a registration.
- (2) The board shall maintain a published list of the appraisal management companies that hold registrations and have been issued a registration number pursuant to subsection (1) of this section.
- (3) An appraisal management company that holds a registration shall disclose the registration number provided to it by the board on the engagement documents presented to the AMC appraiser.

Source: Laws 2011, LB410, § 14. Laws 2018, LB17, § 15.

§ 76-3215. Payment of fees.

Each appraisal management company that holds a registration, except in cases of noncompliance with the conditions of the engagement, shall make payment of fees to an AMC appraiser engaged by the appraisal management company to perform one or more appraisals on behalf of a creditor for a covered transaction or for a secondary mortgage market participant in connection with covered transactions within sixty days after the date on which the AMC appraiser transmits or otherwise provides the report to the appraisal management company or its assignee.

Source: Laws 2011, LB410, § 15. Laws 2015, LB139, § 76. Laws 2018, LB17, § 16.

§ 76-3216. Prohibited acts; board; violations; enforcement actions; fine; considerations; report required.

- (1) It is unlawful for a person to directly or indirectly engage in or attempt to engage in business as an appraisal management company or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration or by meeting the requirements as a federally regulated appraisal management company.
- (2) Except as provided in section [76-3204](#), any person who, directly or indirectly for another, offers, attempts, or agrees to perform all actions described in subdivision (5) of section [76-3202](#) or any action described in subdivision (6) of such section, shall be deemed an appraisal management company within the meaning of the Nebraska Appraisal Management Company Registration Act, and such action shall constitute sufficient contact with this state for the exercise of personal jurisdiction over such person in any action arising out of the act.

- (3) The board may issue a cease and desist order against any person who violates this section by performing any action described in subdivision (5) or (6) of section 76-3202 without the appropriate registration. Such order shall be final ten days after issuance unless such person requests a hearing pursuant to section 76-3217. The board may, through the Attorney General, obtain an order from the district court for the enforcement of the cease and desist order.
- (4) To the extent permitted by any applicable federal legislation or regulation, the board may censure an appraisal management company, conditionally or unconditionally suspend or revoke its registration, or levy fines or impose civil penalties not to exceed five thousand dollars for a first offense and not to exceed ten thousand dollars for a second or subsequent offense, if the board determines that an appraisal management company is attempting to perform, has performed, or has attempted to perform any of the following:
- (a) A material violation of the act;
 - (b) A violation of any rule or regulation adopted and promulgated by the board; or
 - (c) Procurement of a registration for itself or any other person by fraud, misrepresentation, or deceit.
- (5) In order to promote voluntary compliance, encourage appraisal management companies to correct errors promptly, and ensure a fair and consistent approach to enforcement, the board shall endeavor to impose fines or civil penalties that are reasonable in light of the nature, extent, and severity of the violation. The board shall also take action against an appraisal management company's registration only after less severe sanctions have proven insufficient to ensure behavior consistent with the Nebraska Appraisal Management Company Registration Act. When deciding whether to impose a sanction permitted by subsection (4) of this section, determining the sanction that is most appropriate in a specific instance, or making any other discretionary decision regarding the enforcement of the act, the board shall consider whether an appraisal management company:
- (a) Has an effective program reasonably designed to ensure compliance with the act;
 - (b) Has taken prompt and appropriate steps to correct and prevent the recurrence of any detected violations; and
 - (c) Has independently reported to the board any significant violations or potential violations of the act prior to an imminent threat of disclosure or investigation and within a reasonably prompt time after becoming aware of the occurrence of such violations.
- (6) Any violation of appraisal-related laws or rules and regulations, and disciplinary action taken against an appraisal management company, shall be reported to the Appraisal Subcommittee as required by Title XI of the [Financial Institutions Reform, Recovery, and Enforcement Act of 1989](#), the AMC final rule, and any policy or rule established by the Appraisal Subcommittee.

Source: Laws 2011, LB410, § 16. Laws 2018, LB17, § 17.

§ 76-3217. Violations; disciplinary hearings; notice; procedure; costs.

- (1) The board shall conduct disciplinary hearings for any violation of the Nebraska Appraisal Management Company Registration Act in accordance with the Administrative Procedure Act.
- (2) Before the board may censure, suspend, or revoke the registration of, or levy a fine or civil penalty against, an appraisal management company, the board shall notify the appraisal management company in writing of any charges made under the Nebraska Appraisal Management Company Registration Act at least twenty days prior to the date set for the hearing and shall permit the appraisal management company an opportunity to be heard in person or by counsel. The notice shall be satisfied by personal service on the contact person of the appraisal management company or agent for service of process in this state or by sending the notice by certified mail, return receipt requested, to the address of the contact person of the appraisal management company that is on file with the board.
- (3) Any hearing pursuant to this section shall be heard by a hearing officer at a time and place prescribed by the board. The hearing officer may make findings of fact and shall deliver such findings to the board. The board shall take such disciplinary action as it deems appropriate, subject to the limitations contained within section [76-3216](#). Costs incurred for an administrative hearing, including fees of counsel, the hearing officer, court reporters, investigators, and witnesses, shall be taxed as costs in such action as the board may direct.

Source: Laws 2011, LB410, § 17. Laws 2018, LB17, § 18. Cross Reference: Administrative Procedures Act, see section [84-920](#).

§ 76-3218. Rules and regulations.

The board may adopt and promulgate rules and regulations not inconsistent with the Nebraska Appraisal Management Company Registration Act which may be reasonably necessary to implement, administer, and enforce the provisions of the act.

Source: Laws 2011, LB410, § 18.

§ 76-3219. Appraisal Management Company Fund; created; use; investment.

The board shall collect all fees and other revenue pursuant to the Nebraska Appraisal Management Company Registration Act and shall remit such fees and revenue to the State Treasurer for credit to the Appraisal Management Company Fund, which is hereby created. The fund shall be used to implement, administer, and enforce the act. Any money in the fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act.

Source: Laws 2011, LB410, § 19. Cross Reference: Nebraska Capital Expansion Act, see section [72-1269](#). Nebraska State Funds Investment Act, see section [72-1260](#).

§ 76-3220. Material noncompliance; referral to board.

An appraisal management company that has a reasonable basis to believe that an appraiser has failed to comply with applicable laws or the Uniform Standards of Professional Appraisal Practice shall refer the matter to the board if the failure to comply is material.

Source: Laws 2011, LB410, § 20.

§ 76-3221. Attorney General, duties.

At the request of the board, the Attorney General shall render an opinion with respect to all questions of law arising in connection with the administration of the Nebraska Appraisal Management Company Registration Act and shall act as attorney for the board in all actions and proceedings brought by or against the board under or pursuant to the act. All fees and expenses of the Attorney General arising out of such duties shall be paid out of the Appraisal Management Company Fund. The Attorney General may appoint special counsel to prosecute such action, and all allowed fees and expenses of such counsel shall be taxed as costs in the action as the court may direct.

Laws 2018, LB17, § 19

§ 76-3222. Violations of act; enforcement actions.

Whenever, in the judgment of the board, any person has engaged in or is about to engage in any acts or practices which constitute or will constitute a violation of the Nebraska Appraisal Management Company Registration Act, the Attorney General may maintain an action in the name of the State of Nebraska in the district court of the county in which such violation or threatened violation occurred to abate and temporarily and permanently enjoin such acts and practices and to enforce compliance with the act. The Attorney General shall not be required to give any bond nor shall any court costs be adjudged against the Attorney General.

Laws 2018, LB17, § 20